

No. 68-CR-55

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STATISTICAL RECORD		COSTS		DATE	NAME OR RECEIPT NO.	REC.		DISB.	
J.S. 2 mailed	4-30-68	Clerk							
J.S. 3 mailed	5-21-68	Marshal							
Violation	Perjury	Docket fee							
Title	18								
Sec.	1621								

DATE	PROCEEDINGS
4-10-68	Indictment, filed. e
4-10-68	Record vote of Grand Jury, filed.e
4-10-68	Bail set at 5,000.00. e
4-12-68	Petition for writ of habeas corpus ad prosequendum, filed. hw
4-12-68	Order granting writ of habeas corpus ad prosequendum, filed. (Allen E. Barrow - Judge) x writ issued x hw
4-18-68	Defendant present in person and represented by counsel. Defendant waives counsel and states that he will represent himself with the assistance of Thomas Dee Frasier. Defendant arraigned, receives copy of indictment, and enters a plea of NOT GUILTY, and case set for jury trial on May 13, 1968 docket. Defendant granted 14 days in which to file motions, and the govt. 5 days in which to answer. (AEB-J)h
4-26-68	Ordered by the Court that the defendant is granted until May 8, 1968 within which time to file any and all motions. (Allen E. Barrow-Judge) b
4-26-68	Order filed granting defendant until May 8, 1968 within which to file any and all motions, filed. (NCH-Clerk) b
5-2-68	Ordered by the Court that this case is assigned to Honorable Fred Daugherty, Judge and is set for jury trial on Monday, May 20th, 1968 at 9:30 A. M. (Allen E. Barrow - Judge) b

DATE	PROCEEDINGS
5-3-68	Case stricken from the assignment of 5-20-68. (AEB-J) e
5-3-68	Order filed, that U. S. Marshal for NDO return Donald Lee Yates to the Federal Penitentiary at Leavenworth, Kansas. b
5-15-68	Motion for writ of Habeas Corpus ad Testificandum filed by defendant.h
5-15-68	Motion for Bill Of Particulars filed by defendant. h
5-15-68	Motion to produce and/or prayer for oyer filed. h
5-23-68	Dismissal of indictment, filed, with leave of court thereon, filed and entered. (AEB-J)w
5-24-68	Order, that motions filed by defendant be and are denied on the grounds that the case has been dismissed and the motions are moot, filed. (ABE-J)
5-27-68	Return on writ of habeas corpus ad prosequendum filed. Executed by taking Donald Lee Yates into custody at US Penitentiary, Leavenworth, Kansas, and transporting him to Tulsa County Jail, Tulsa, Oklahoma, on 4-16-68. Further executed by returning Donald Lee Yates to U. S. Penitentiary, Leavenworth, Kansas on May 16, 1968. (\$66.38) (\$86.10) ds

UNITED STATES COMMISSIONER
Northern DISTRICT OF Oklahoma.

RECORD OF PROCEEDINGS IN CRIMINAL CASES

BEFORE MILAM M. EWING FEDERAL BUILDING, TULSA, OKLAHOMA.
(Name of commissioner) (Address)

COMMISSIONER'S
DOCKET No. 2 CASE No. 857
THE UNITED STATES
vs.

DONALD LEE YATES (30)

Complaint filed on 2-9-68, 19, by George B. Hamilton
Official title F.B.I. Agent, charging violation of
United States Code, Title 18, Section 1621, on 9-28-64
19, at Tulsa, Okla. in the
division of the Northern district of Oklahoma.
as follows: "Making false statements"

FILED

16, 910

(Here insert brief summary of facts constituting offense charged)

FEB 13 1968

WARRANTS OR SUMMONS ISSUED:

Date 2-9-68 Warrant/Summons for DONALD LEE YATES
to (name and title of officer) To Any U. S. Marshal or otherwise authorized officer
Substance of return Arrested by: O'Neal Cobb, U.S.D.M. Clerk, U. S. District Court

Date Warrant/Summons for
to (name and title of officer)
Substance of return

PROCEEDINGS ON FIRST PRESENTATION OF ACCUSED TO COMMISSIONER: Ewing

Date 2-9-68 Arrested by O'Neal Cobb, U.S.D.M. on warrant of Milam M. Ewing
U.S. Commissioner: without warrant.

Appearances { for United States (Name) (Address)
for accused (Name) (Address)

Proceedings taken Above defendant presented, advised of charges filed against;

(Here insert with dates, when appropriate, a serial account of essential steps taken at hearing such as "complaint prepared,"

him, his right to counsel and a preliminary hearing. Defendant Waived

if arrest is without warrant: "defendant informed of complaint and right to retain counsel and preliminary hearing": "preliminary examination waived,"

counsel for the purpose of this hearing and Signed Waiver, also Waived pre-

liminary hearing. He was advised bond fixed at \$10,000.00, upon his failure

to post bond he was remanded to custody of U. S. Marshal.

Outcome Held for Court Action.

Bail fixed 2-9-68, 19, Amount, \$10,000.00 Bonded, 19, by cash
deposited by (name) Address
transmitted to clerk of district court, 19, [or] by surety
(name) Address
(name) Address, who
justified by affidavit dated, 19, [or] committed to Custody of U.S. Marshal
on Feb. 9, 19, 68

SUBPOENAS FOR WITNESSES ISSUED:

_____, 19____, for (name of witness) _____
at request of (name of party) _____
Substance of return _____

_____, 19____, for (name of witness) _____
at request of (name of party) _____
Substance of return _____

_____, 19____, for (name of witness) _____
at request of (name of party) _____
Substance of return _____

PRELIMINARY EXAMINATION:

(Not to be used if case was disposed of at first presentation)

Date _____ Appearances for _____

{ United States (Name) _____
(Address) _____
Accused (Name) _____
(Address) _____

WITNESSES FOR UNITED STATES: (List names and addresses)

WITNESSES FOR ACCUSED: (List names and addresses)

Witness payroll containing _____ names certified to United States Marshal for payment _____, 19____
Proceedings taken _____

Outcome _____

Bail fixed _____, 19____ Amount, \$ _____ Bonded _____, 19____, by cash

deposited by (name) _____ Address _____

transmitted to clerk of district court _____, 19____

[or] by surety (names) _____ Address _____

and _____ Address _____

who justified by affidavit _____, 19____ Committed to _____

on _____, 19____

Certified to be a correct transcript.

Made this 9th day of February, 19 68

Transmitted to Clerk of United States District Court for the _____ Northern

district of _____ Oklahoma _____, Feb. 9th, 19 68

M. M. Ewing
United States Commissioner.